

FORM PTO-1390
(REV 10-95)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEYS DOCKET NO.

2186PB-1

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. (If known, see 35 CFR 1.5)
09/509,738

| | | |
|--|---------------------------|-----------------------|
| INTERNATIONAL APPLICATION NO. | INTERNATIONAL FILING DATE | PRIORITY DATE CLAIMED |
| PCT/GB98/02937 | 30 September 1998 | 30 September 1997 |
| TITLE OF INVENTION "PROTEIN INVOLVED IN ABSCISIC ACID SIGNALLING" | | |
| APPLICANT(S) FOR DO/EO/US BLATT, Michael and LEYMAN, Barbara | | |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(l).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. To 16. below concern documents or information included:

11. An Information Disclosure Statement under 37n CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.23 and 3.31 is included.
13. A **FIRST** preliminary amendment.
- A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
16. Other items or information:
Copy of Notice of Missing Requirements

"EXPRESS MAIL" MAILING LABEL NUMBER: EL417658251
DATE OF DEPOSIT: 5/24/00

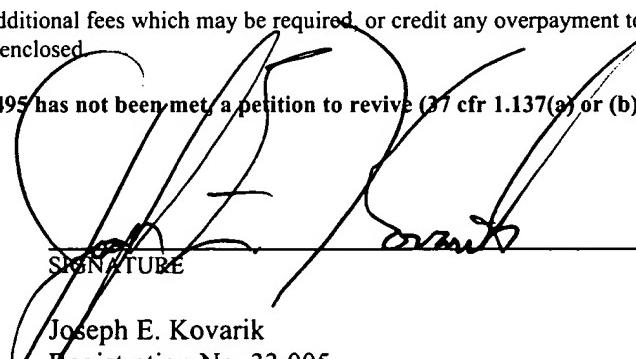
I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, BOX PCT, WASHINGTON, D.C. 20231.

TYPED OR PRINTED NAME: JANICE MESSERSIGNATURE: Janice Messer

05/30/2000 PWD/PE 00000123 09509738

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130.00 DP

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|--|---|------------------------------------|--------------|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/509,738 | INTERNATIONAL APPLICATION NO. PCT/GB98/02937 | ATTORNEY DOCKET NUMBER 2186PB-1 | |
| 17. [X] The following fees are submitted: | | CALCULATIONS PTO USE ONLY | |
| BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): | | | |
| Search Report has been prepared by the EPO or JPO | | \$840.00 | |
| International preliminary examination fee paid to USPTO (37 CFR 1.482) | | \$670.00 | |
| No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) | | \$760.00 | |
| Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid USPTO | | \$970.00 | |
| International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) | | \$96.00 | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). | | [] 20 [X] 30 \$ 130.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE |
| Total Claims | - 20 = | | x \$18.00 \$ |
| Independent Claims | - 3 = | | x \$78.00 \$ |
| MULTIPLE DEPENDENT CLAIMS(S) (if applicable) | | + \$260.00 | \$ |
| TOTAL OF ABOVE CALCULATIONS = | | \$ 130.00 | |
| Reduction of $\frac{1}{2}$ for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28). | | \$ | |
| SUBTOTAL = | | \$ | |
| Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)). | | [] 20 [] 30 + \$ | \$ |
| TOTAL NATIONAL FEE = | | \$ 130.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property + | | \$ 40.00 | |
| TOTAL FEES ENCLOSED = | | \$ 170.00 | |
| | | Amount to be: refunded | \$ |
| | | charged | \$ |
| a. [X] A check in the amount of \$ 170.00 to cover the above fees is enclosed. | | | |
| b. [] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. | | | |
| c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 19-1970. A duplicate copy of this sheet is enclosed. | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application pending status. | | | |
| SEND ALL CORRESPONDENCE TO: | | | |
| <p>SHERIDAN ROSS P.C. 1560 Broadway, Suite 1200 Denver, Colorado 80202-5141 Telephone: (303) 863-9700 Facsimile: (303) 863-0223</p>  <p>SIGNATURE Joseph E. Kovarik Registration No. 33,005</p> | | | |



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

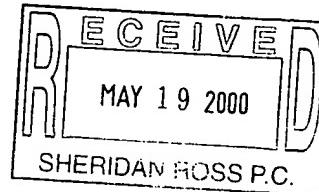
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|---|-----------------------|--|
| U.S. APPLICATION NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/509738 | BLATT | M 2186PB-1 |
| SHERIDAN ROSS 1560 BROADWAY SUITE 1200 DENVER, CO 80202 5141 | | INTERNATIONAL APPLICATION NO. PCT/GB98/02937 |
| | | I.A. FILING DATE 30 SEP 98 PRIORITY DATE 30 SEP 97 DATE MAILED: 1 st MAY 2000 |

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- a Designated Office (37 CFR 1.494),
 an Elected Office (37 CFR 1.495):
 U.S. Basic National Fee.
 Copy of the international application in:
 a non-English language.
 English.
 Translation of the international application into English.
 Oath or Declaration of inventors(s) for DO/EO/US.
 Copy of Article 19 amendments.
 Translation of Article 19 amendments into English.
 The International Preliminary Examination Report in English and its Annexes, if any.
 Translation of Annexes to the International Preliminary Examination Report into English.
 Preliminary amendment(s) filed 30 MAR. 2000 and _____.
 Information Disclosure Statement(s) filed _____ and _____.
 Assignment document.
 Power of Attorney and/or Change of Address.
 Substitute specification filed _____.
 Verified Statement Claiming Small Entity Status.
 Priority Document.
 Copy of the International Search Report and copies of the references cited therein.
 Other:



2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed:

 PCT/DO/EO/917 Notice of Defective Translation PTO-875

FORM PCT/DO/EO/905 (December 1997)

CHRISTINE WASHINGTON

Telephone: 703-305-3752

BEST AVAILABLE COPY